

1 UNITED STATES DISTRICT COURT
2 DISTRICT OF NEVADA

3 BHH Management Group, Inc.,

4 Plaintiff

5 v.

6 United Guaranty Residential Insurance Company of
7 North Carolina, et al.,

8 Defendants

Case No.: 2:15-cv-02081-JAD-CWH

**Order Dismissing Claims
and Closing Case**

[ECF No. 25]

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10 On July 7, 2017, the court granted Fannie Mae and Nationstar Mortgage's unopposed motion
11 for summary judgment and gave the plaintiff 20 days to advise the court how it planned to proceed
12 against non-answering defendant United Guaranty Residential Insurance Company of North
13 Carolina. The court warned plaintiff that if it took no action by that deadline, the claims against
14 United would be dismissed without prejudice and this case would be closed. The 20-day deadline
15 passed with no notice that plaintiff intends to pursue its claims against United, and the record does
16 not reflect that United has been served with this action, which commenced nearly two years ago.
17 Federal Rule of Civil Procedure 4(m) states that "If a defendant is not served within 90 days after the
18 complaint is filed, the court—on motion or on its own after notice to the plaintiff—must dismiss the
19 action without prejudice against that defendant or order that service be made within a specified
20 time." Accordingly,

21 IT IS HEREBY ORDERED that Nationstar Mortgage and Fannie Mae's Motion to Close
22 Case [ECF No. 25] is **GRANTED**; the **claims against United Guaranty Residential Insurance**
23 **Company of North Carolina are DISMISSED** without prejudice. The Clerk of Court is directed
24 to CLOSE THIS CASE.

25 DATED: August 15, 2017

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28 JENNIFER A. DORSEY
UNITED STATES DISTRICT JUDGE